Appl. No.: 10/528,643

Amdt. Dated October 20, 2008

Reply to Office Action of September 11, 2008

## Amendments to the Claims:

## 1-5. (Canceled)

6. (Previously Presented) A method for operating a variable nozzle device (1) for a turbocharger comprising a plurality of vanes (4) arranged in a nozzle (3) defined between an inner wall (11) and an outer wall (10), the vanes (4) forming nozzle passages, the method comprising the steps of:

adjusting the nozzle passages by controllably adjusting the vanes (4),

varying an axial clearance between the outer wall (10) and the vanes (4) by axially moving the outer wall (10) to and from the vanes (4), and

increasing the axial clearance between the outer wall (10) and the vanes (4) as the operational rotational speed of the turbocharger increases, and decreasing the axial clearance between the outer wall (10) and the vanes (4) as an operational rotational speed of the turbocharger decreases, wherein

the step of increasing the axial clearance between the outer wall (10) and the vanes (4) starts and/or stops either independently from or simultaneously with a step of pivoting the vanes (4) for enlarging the gas flow area of the annular nozzle (3), and/or

the step of decreasing the axial clearance between the outer wall (10) and the vanes (4) starts and/or stops either independently from or simultaneously with a step of pivoting the vanes (4) for reducing the gas flow area of the annular nozzle (3).

7. (Previously Presented) A method for operating a variable nozzle device (1) for a turbocharger according to claim 6, further comprising the step of:

limiting the axial movement of the outer wall (10) to the vanes (4) by a spacer that defines a minimum axial clearance between the vanes (4) and the outer wall (10).

## 8. (Canceled)